

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIJUE ADOLPHUS MCGHEE,

Plaintiff,

v.

SAN MATEO COUNTY SHERIFF
DEPARTMENT, et al.,

Defendants.

Case No. [23-cv-01521-HSG](#)


ORDER OF DISMISSAL

Plaintiff, an inmate housed at Maguire Correctional Facility, filed a *pro se* action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a request to voluntarily dismiss this case without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Dkt. No. 9. Fed. R. Civ. P. 41(a)(1) provides that a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment, and that such dismissal is without prejudice. Fed. R. Civ. P. 41(a)(1). Defendants have not yet been served in this action. Accordingly, Plaintiff's request for voluntary dismissal is GRANTED. Dkt. No. 9. This action is DISMISSED without prejudice. The Clerk shall enter judgment against Plaintiff and in favor of Defendants, and close the case.

This order terminates Dkt. No. 9.

IT IS SO ORDERED.

Dated: 9/6/2023


HAYWOOD S. GILLIAM, JR.
United States District Judge